

Application No. 10/764,652
Response to Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's allowance of claims 1, 2 and 5-9 is respectfully acknowledged.

THE PRIOR ART REJECTION

Claims 3 and 4 were rejected under 35 USC 102 as being anticipated by USP 6,513,463 ("Katayama"). This rejection, however, is respectfully traversed.

According to the present invention as recited in independent claim 3, a lubricating structure for an outboard motor is provided which comprises a vertically installed V-type engine, a main oil gallery formed in the engine, and an oil gallery formed substantially in a central part of the engine in a transverse direction of the engine, as a passage separate from said main oil gallery, for allowing oil for cooling pistons to pass therethrough.

That is, according to the present invention as recited independent claim 3, a main oil gallery is formed in a vertically installed V-type engine, and an oil gallery for allowing oil for cooling pistons to pass therethrough is formed in a substantially

Application No. 10/764,652
Response to Office Action

Customer No. 01933

central part of the engine in a transverse direction of the engine as a passage separate from the main oil gallery.

The Examiner asserts on page 2 of the Office Action that Katayama discloses a vertically installed V-type engine as recited in independent claim 3. It is respectfully pointed out, however, that according to Katayama the engine 54 includes four horizontal cylinder bores 73 that are arranged vertically with respect to each other (column 5, lines 56-61 of Katayama). And it is respectfully submitted that Katayama does not at all disclose, teach or suggest a V-type engine or the arrangement of oil galleries in a V-type engine.

In addition, the Examiner asserts that delivery oil gallery 318 of Katayama corresponds to the main oil gallery and the oil gallery of the present invention as recited in claim 3. It is respectfully pointed out, however, that according to the present invention as recited in claim 3, the oil gallery is formed as a separate passage from the main oil gallery. As described on page 26 of the present application, with the structure of the present invention it is possible to prevent the main oil gallery from being influenced by a drop in pressure in the path for cooling the pistons, and it is possible to cool only the piston-cooling oil gallery independently and efficiently. And it is respectfully submitted that the delivery oil gallery

Application No. 10/764,652
Response to Office Action

Customer No. 01933

318 of Katayama clearly does not correspond to the separate main oil gallery and oil gallery for cooling the pistons as recited in claim 3.

Still further, the Examiner contends that the delivery oil gallery 318 of Katayama is provided substantially in a central part of the engine in a transverse direction of the engine, as recited in claim 3. It is respectfully pointed out, however, that as shown in Fig. 13 of Katayama, the delivery oil gallery 318 is coupled to the filter assembly 182. And it is respectfully pointed out that according to Katayama the filter assembly 182 is mounted on a starboard side of the cylinder block 72 (see column 10, lines 40-45). Thus, it is respectfully submitted that Katayama clearly does not disclose, teach or suggest that an oil gallery is formed substantially in a central part of the engine in a transverse direction of the (V-type) engine, as recited in claim 3.

In view of the foregoing, it is respectfully submitted that the present invention as recited in independent claim 3, and claim 4 depending therefrom, clearly patentably distinguishes over Katayama, under 35 USC 102 as well as under 35 USC 103.

Accordingly, it is respectfully requested that claims 3 and 4 be allowed along with already allowed claims 1, 2 and 5-9.

Application No. 10/764,652
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Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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